

**BOARD OF ALDERMEN  
REGULAR MEETING  
MARCH 2, 2009**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, March 2, 2009 in the aldermanic chambers of City Hall. Chairman B. Blake called the meeting to order at 7:42 p.m. Chairman Blake asked those present to join in saluting our flag and reciting the Pledge of Allegiance lead by Lisa DiLullo.

1. Roll Call

Board Members Present

B. Bier  
J. Blacketter  
B. Blake  
V. Ditchkus, Jr.  
A. Giannattasio  
S. Manning  
R. Nunno  
J. Patterson  
J. Rosen  
J. Toohey  
N. Veccharelli  
P. Vetro  
R. Vitali  
S. Willey

Also Present

Mayor J. Richetelli, Jr.  
L. Bull DiLullo, Mayor's Admin. Asst.  
W. Smith, Jr. City Attorney

Excused

M. Hardiman (sick)

Chairman Blake noted Ald. Hardiman was excused tonight due to illness, however, he wished to remind the Board of the Saint Patrick's Day Parade to be held on Saturday, March 14, 2009. Chairman Blake also noted the number of people in attendance that he summarized may be in regard to the Kimball report. He stated he wished to make everyone aware in advance he and the Mayor would be announcing an implementation teach with regard to the report and the specific charge of the team.

2. Public Statements

Public statements are limited to the legislative function of the Board of Aldermen. He stated only residents; taxpayers or electors may address the Board. The time limit granted to each speaker shall be three (3) minutes. He asked each speaker to adhere to the three-minute limit.

T. Chaucer – 104 Hawley Avenue – stated he wished to speak concerning 3 disasters with the wastewater system. He stated on tonight's agenda this Board was being asked to approve over \$600,000 for a waiver of bid. He stated a few years ago this Board approved what amounted to \$80,000,000. He stated people have a right to know what is going on and why these 3 pumps malfunctioned. He asked where the bar services, alternates, etc was. He also spoke as to Pearl Street and commented regarding sewage running down the street. Mr. Chaucer stated a lot of money has been bonded for the sewers and he wanted to know what was going on

and who was responsible. He also commented about the lack of a City Engineer with no apparent reason. He reiterated the public needs facts as to what is going on.

S. Studer – 80 Christine Terrace – read a letter (attached – Addendum “A”) directed to the Mayor, Chairman of the Board of Aldermen and Chairman of the Planning and Zoning Board. He stated the letter was at the request of the Board of Directors expressing the Chamber’s dissatisfaction with the land use and construction permitting process in the City of Milford and how it has impeded new business to the City. He continued reading the letter. Mr. Studer asked the Mayor, Board of Aldermen and Planning and Zoning Boards to take prompt concrete action. He also stated a large number of people in attendance tonight are here regarding the Kimball report.

N. Seltzer – 74 Camden Street – stated on May 19, 2008 members of this Board (read the names) voted to increase monies to the Board of Education. She stated unfortunately the Board of Education has not spent that money wisely. Ms. Seltzer commented in December 2008, Dr. Polansky and his wife were given a large benefits package. She expressed her hope the Board would not give that opportunity to the Board of Education again. She also provided the Board with a list of cars the City owns and spoke as to those individuals who take that vehicle home. She stated many of those individuals are not on 24 hours and that it is only costing the taxpayers as well as an increase in insurance. She stated this would be a good starting point for trimming costs and that she would also see this Board trim education costs as well. She suggested the possibility of capping education costs with regard to salaries as well as cutting benefits wherever possible. She asked the Board to give the taxpayers a break.

T. DiNaples – 203 Broad Street – stated she was here tonight on behalf of Milford Progress, Inc. She read a letter (attached as Addendum “B”) dated February 26, 2009 directed to the Mayor, Board of Aldermen and Planning and Zoning Commission regarding the Kimball report.

J. Profetto – 48 Carrington Avenue – stated he too wished to speak in favor of implementing the Kimball report. He stated he is working on 8 months in an attempt to get a permit and that he has invested valuable years of his life in the Parsons Complex trying to get a permit. He stated current system is discouraging and that something needs to be done now. He also commented as to the idea that permits are still done on a typewriter. He encouraged the Board to make sure this report is implemented.

G. Salvatore – 17 Saint Andrews Lane – stated she is Chair of the Economic Development Commission. She stated in these economic times it is now that these barriers need to be removed. She stated builders are being turned away because of the delays they experience in attempting to get permits. She stated she is thrilled the Mayor and Board of Aldermen have taken action thus far, but it was important to continue on. She stressed the importance of not using this new Committee to engage a study of a study. She stated immediate change was needed and that the configuration of these recommendations did not involve money. She stated it was important to be positioned for the future.

C. Settineri – 151 Platt Lane – stated he was here tonight as a member of the Economic Development Commission. He stated this beautiful City is being held hostage by a department that is confusing and ignores the needs of its citizens. Reading from a prepared statement he urged the Mayor and Board of Aldermen to resolve the situation immediately.

R. Smith – 59 Sixth Avenue – stated he was not here tonight regarding the Kimball report. He stated he was here to speak on behalf of our City residents many of whom are wondering how they are going to make their next mortgage payment, find a job, pay their electric bill, etc. He stated he was speaking for the hardworking people of Milford and questioned what the Mayor was thinking when he put forth a budget with millions of dollars of new spending. He spoke as to the many states throughout the country that are making difficult decisions with regard to cuts, however, here in Milford our Mayor has extended a huge budget to its residents. He stated the Mayor has been quoted as saying, “it contains core essentials, but there could be cuts”. He suggested the leaders of this Board meet as a bipartisan party and come together for additional cuts. He stated the people of Milford would be grateful for that bipartisanship change.

J.Gray – 44 Ettadore Place – stated she had a question regarding pay rates asking why the health director is the third highest paid in the City. She also asked why that department, with a new building of their own would be in line for a new building. She also asked why the health department is getting all the big bucks.

G. Opini – 30 Edgewater Place – stated he did not intend to speak this evening, but after listening tonight he wished to comment concerning the Kimball report. He stated the report is very general and that there are not any real specifics. He stated people are just afraid to mention what the real issue is. He continued speaking personally about his experiences with the building department and that amount of money it has cost him for his own renovations.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on February 2, 2009.

Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the minutes of the Regular Meeting of the Board of Aldermen held on February 2, 2009. Motion carried unanimously.

4. Consideration of the Minutes of the Special Meeting of the Board of Aldermen.

None.

5. Chairman’s Report and Communications.

Chairman Blake commented over the past several years they have heard the painful stories of the building department. He stated it is time to step up and fix the problems that exist with the building department. He stated the Kimball report provides a high level starting point and opportunity to improve the permitting system in the city and make it more effective and easier for our citizens. He stated he has met with the Mayor and that they will be announcing a three (3)-person team comprised of capable, talented people. He stated the team would be announced this Friday. Chairman Blake went on to say the review, design, development and implementation of the report is tangible, measurable development of the report. He stated signage was one of those items mentioned. He also reported the Mayor has the support of all departments to get started. Chairman Blake stated the team would report back to this Board every month beginning in April. He stated he would reserve a place on the monthly aldermanic agenda for this item.

6. Mayor's Report and Recommendations:

Mayor Richetelli stated was respectfully submitting items 8a-8h for the Board's consideration and that he would be happy to answer any questions. He stated he also wished to reiterate the comments of Chairman Blake as well as thank the members of the Board for providing the funding to complete the Kimball report. He stated he has met with all city departments and they are willing to give their full support and thanked those departments and Chairman Blake for their support.

7. Unfinished Business:

None.

8. New Business:

8a. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for Resolution RE: Grant Application for Department of Human Services. Motion carried unanimously.

8b. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for Resolution RE: Grant Application for Youth and Family Services Activities. Motion carried unanimously.

8c. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Resolution RE: Grant Application for Police and Youth Service Coordination Project. Motion carried unanimously.

8d. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for Resolution RE: Grant Application for State Department of Social Services. Motion carried unanimously.

8e. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for Resolution RE: Historic Document Preservation Grant. Motion carried unanimously.

8f. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request to accept a grant from Cable Advisory Council Area 2 in the amount of \$25,971.00 (to be made in quarterly payments) and to authorize the Finance Director to deposit said funds in an appropriate account to be used to support Milford Government Access Television activities.

Ald. Manning stated she wished to give special thanks to State Senator Slossberg for spearheading this and getting the funding. Ald. Manning asked if there were any restrictions.

Mayor Richetelli stated he also wished to thank Dennis Guaglianone and Philip Kearney both original members of the Cable Advisory Council as well the many other dedicated individuals of this Council. Mayor Richetelli explained payment would be made in payments and that the monies were for improvement of equipment, enhancements, etc. He stated it would be based upon the grant application submitted.

Motion carried unanimously.

8g. Ald. Vetro and Ald. Patterson made and seconded a motion to approve the request for Emergency Repair Work to the West Avenue Pump Station and Housatonic Wastewater Treatment Plant in an amount not to

exceed \$625,000.00 as outlined in the recommendation from Raymond Macaluso, Westcott and Mapes, Inc. and Acting Wastewater Superintendent James Cooper, and to authorize an emergency waiver of bid for either Carlin Contracting, Inc. or Kovacs Construction Corporation.

Ald. Willey asked if this was as the result of an accident.

Mr. Macaluso referred to an incident in December as well as incidents throughout December and January.

Ald. Willey stated he wished to understand why now it is an emergency and asked what took so long to get to this point.

Mr. Macaluso explained Wastewater attempted to take care of the repairs themselves, which included \$53,000 out of their operating budget. He explained the sewage needed to be bypassed which will allow them to go in and make the necessary repairs. Mr. Macaulso also spoke as to the amount of sewage that services 2/3 of the City's sewage.

Ald. Willey asked if they realized back in December they would be spending \$500,000. He also commented this Board would prefer to see bids on something so big.

Ald. Vitali stated he wished to be clear on the reason and also asked if Carlin and Kovacs are the only approved contractors.

Mr. Macaluso responded they know their reputation very well. He stated if this were to go out to bid they would have to submit full documented bids.

Ald. Toohey requested a 5-minute recess. The Board recessed at 8:26 p.m.

Chairman Blake reconvened the Board at 8:30 p.m.

Ald. Blacketter asked if the \$420,000 figure is an estimate and whether it includes time and materials or proposed costs.

Mr. Macaluso responded it is an estimate from the contractors and that they felt the work would not be more than \$420,000.

Ald. Giannattasio commented the work could actually be less than \$420,000.

Mr. Macaluso replied yes.

Motion carried unanimously.

8h. Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve the request for Allocation Transfer No. 9. Motion carried unanimously.

9. New Business not on the Agenda which may be introduced by a two-thirds (2/3) vote of those present and voting.

None.

#### 10. Budget Memo Transfers

(a) Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Budget Memo Transfer 11, Fund 10, FY 2008-2009. Motion carried unanimously.

(b) Ald. Vetro and Ald. Patterson made and seconded a motion to approve Consideration of Budget Memo Transfer No. 12, Fund 10, FY 2008-2009. Motion carried unanimously.

#### 11. Refunds

(a) Ald. Vetro and Ald. Ditchkus made and seconded a motion to approve Consideration of Refunds in the amount of \$35,344.10. Motion carried unanimously.

#### 12. Report of Standing Committees:

a. Ordinance Committee – Chairman Patterson reported the Committee met earlier in the evening to discuss one Ordinance and voted favorably to recommend the Ordinance to the full Board.

Ald. Patterson and Ald. Toohey made and seconded a motion to approve an Ordinance enacting Sections 2-92 through 2-92.6 of the Milford Code of Ordinances regarding disqualifications of contractors from doing business with the City of Milford pursuant to Connecticut General Statutes Section 7-148w.

Ald. Manning asked what kind of police would be in place with the departments to manage this, i.e. would it be a form and also how it would be administered.

Mayor Richetelli responded the exact details with regard to forms had not been worked out as yet. He stated they needed to get the Ordinance in place first and then work with those departments. He stated the departments that make those requests for proposals would handle this.

Ald. Manning stated she would want some assurances as to the administration of this. She stated she would not want someone to be on the disqualification list they should not be.

Mayor Richetelli responded there would be certain criteria in place to disqualify someone.

Ald. Toohey pointed out Section 2-92.3 regarding Hearing Proceedings. She stated this might be the catalyst that drives this.

Ald. Ditchkus added they do have procedures for disqualifications as well as remedies for reinstatement. He stated there is a criterion to be met that is in the Ordinance. He also commented he is glad to see Milford doing this.

Ald. Blacketter stated what would be useful is something that is standardized so people would know how this impacts them.

Ald. Manning through the Chairman to Ald. Ditchkus asked if he could point out those procedures he referred to. She stated what she is referring to is procedure policies taken care of internally.

Attorney Smith referred the Board to Section 2-292 that is a direct reference to Connecticut General Statutes, which is a Connecticut Administration Act. He stated the exact forms have not been formed as yet, but would be with the approval of this Ordinance.

Motion carried unanimously.

b. Public Safety and Welfare Committee – no report.

c. Public Works Committee – Ald. Vetro thanked the Public Works crews for all their hard work with their snow removal. He added it is taking a toll on their budget, but they continue to do their best.

d. Claims Committee – Ald. Manning reported the Claims Committee met earlier in the evening to discuss one claim.

Ald. Manning and Ald. Patterson made and seconded a motion to approve Consideration of employee Patricia Liptak (PPD Award)(Executive Session) as discussed in Executive Session in accordance with the recommendations of the City Attorney. Motion carried unanimously

e. Rules Committee – no report.

f. Personnel Committee – no report.

### 13. Report of Special Committees:

a. Liaison Sub-Committee – Board of Education – no report.

b. Liaison Sub-Committee – Flood & Erosion Board – no report.

c. Liaison Sub-Committee – Park, Beach & Recreation Comm. – no report

d. Liaison Sub-Committee – Planning & Zoning Board – no report.

e. Liaison Sub-Committee – Sewer Commission – no report.

f. Liaison Sub-Committee – Harbor Management Commission – no report.

g. Liaison – Council on Aging – no report.

h. Permanent School Facility Building Committee – no report

i. Liaison Sub-Committee – Library Board – no report

j. Liaison Sub-Committee – Fowler Memorial building – no report

k. Liaison Sub-Committee – Milford Redevelopment & Housing Partnership – no report.

l. Golf Course Commission – Ald. Toohey reported the contract had been signed. She thanked everyone involved noting it was quite a few months of going back and forth. She stated the Commission is currently working on the carts for the course and deciding whether to purchase or lease as well as accessibility for those who need them and also that there is no damage to the course. She stated the Commission is also working on some needs of the exterior building.

m. Inland Wetlands Agency – no report.

n. Milford Academy Community Campus Bldg. Committee – no report

o. Courthouse Expansion Committee – Ald. Vitali commented he believe this Committee was now defunct and asked if it should be removed from the agenda.

Attorney Smith stated there would not be any further meetings at this point. He stated funds have not become available and until they do, the Committee would not meet.

Mayor Richetelli added the funding for this project was on the list of items the governor rescinded.

p. Liaison Health Department – no report.

q. Milford Legislative Action Committee – no report.

r. Devon Revitalization Committee – Ald. Manning reported it has been several months since the Committee met. She stated monies that have been cut were not monies that have been earmarked for the Devon Revitalization. She stated and RFP went out with regard to the drainage repairs. She also spoke as to the purchase of 120 Bridgeport Avenue, which is needed, for additional parking. She stated Mr. Baron presented a plan for highway signs in that area.

s. Human Services Commission – Ald. Vetro reported those individuals in need of fuel assistance can still contact this department. He also stated the Mayor's Youth Award Ceremony would be held on March 26, 2009 at City Hall. He also spoke as to the Rent-A-Kid Program explaining they have more than 145 kids to perform various jobs in the community.

14. Executive Session. A two-thirds (2/3) vote of those present and voting is required for any item to be considered in executive session. A two-thirds (2/3) vote of those present and voting is required to go into executive session.

The Chairman shall announce, in public session, those items to be covered in executive session and call for a vote to enter executive session. If a two-thirds (2/3) vote, to enter executive session, is obtained, the hall shall be cleared and executive session declared.

14a. Status report and consideration of settlement of  
EQI Milford Partnership LP v. City of Milford  
**RE: 129 Plains Road**

14b. Status report of pending litigation: Sidepockets d/b/a v. City of Milford, No. 3:03 CV 2134  
(AWT) and Keepers, Inc. d/b/a, et al v. City of Milford, No. 3:07 CV 01231.

Ald. Ditchkus and Ald. Vetro made and seconded a motion to go into Executive Session regarding items 14a and 14 b. Motion carried unanimously.



Chairman Blake announced the Board would be going into Executive Session with the City Assessor, D. Thomas and City Attorney, W. Smith. He stated for the record that the City Assessor, D. Thomas would only be in Executive Session for item 14a.

The Board adjourned to Executive Session at 8:49 p.m.

Ald. Patterson and Ald. Vetro made and seconded a motion to come out of Executive Session. Motion carried unanimously.

Chairman Blake reconvened the Board in Public Session at 9:16 p.m.

Ald. Vetro and Ald. Patterson made and seconded a motion to authorize the City Attorney to enter into settlement RE: EQI Milford Partnership LP v. City of Milford (129 Plains Road) in accordance with the recommendations of the City Assessor as discussed in Executive Session. Motion carried unanimously.

Chairman Blake announced a public hearing meeting on March 5, 2009 in connection with Cellco Partnership concerning a cell tower at 631 Orange Avenue.

Ald. Ditchkus and Ald. Patterson moved to adjourn at 9:18 p.m. Motion carried unanimously.

Respectfully submitted,

Kathleen K. Huber  
Recording Secretary